

SECTION I

Preface

This report, part of the National Council on Disability's (NCD's) series "Unequal Protection Under Law," examines in detail the way the U.S. Department of Housing and Urban Development's (HUD's) Office of Fair Housing and Equal Opportunity has handled complaints filed with it about illegal discrimination in housing and how it has used, or failed to use, its authority to secure compliance with the Fair Housing Act and Section 504.

By issuing this report, NCD recognizes the importance to people with disabilities of enforcement of these laws. Freedom from discrimination in looking for, and living in, housing remains one of the cornerstones of the American dream. The ability to choose a home without discrimination, to live in a home without interference, to seek and be granted reasonable accommodations where these are necessary, and to find and acquire accessible housing—these are essential first steps for people with disabilities to live in the mainstream of our country. When discrimination intervenes, it stigmatizes, isolates, and removes free choice and the opportunity to live as part of the community of all Americans.

This study describes HUD's administrative enforcement of the Fair Housing Act and Section 504. It covers HUD's enforcement and compliance work conducted under these laws, with particular emphasis on the rights of people with disabilities during the period roughly beginning with the passage of the Fair Housing Amendments Act in 1988 and ending on September 30, 2000. An evaluation of HUD's many housing programs, how these programs affect people with disabilities, and how HUD complies—or fails to comply—with these laws is beyond the scope of this report. The report also does not focus on the work of other federal agencies, including the Department of Justice, in enforcing these civil rights laws, and it does not cover private enforcement of either law.

This report is for everyone who supports effective, fair enforcement of civil rights laws. Certainly it is directed to leaders in the Administration and to Congress and the leaders at HUD who seek to improve the agency's management and operations.

It is for people with disabilities, so they can know more about how the government works to vindicate their rights and how the promise of enforcement has not yet been achieved for them and for others who encounter housing discrimination.

It is for housing providers and others whose conduct is frequently regulated by these laws and who are equally and adversely affected when administration of the laws is not prompt, reliable, and fair.

It is for the public, because the public is entitled to full, fair enforcement of civil rights laws, and is entitled to know the ways in which enforcement is, and is not, being effectively administered.

It is for those people in HUD's Office of Fair Housing and Equal Opportunity who remain committed to full, fair enforcement of the law and who recognize that, despite their best efforts, much work remains before the dream can be accomplished.